

Application No.: 10/070,579
Amendment Dated August 4, 2003
Reply to Office Action dated: May 5, 2003

Attorney Docket No.: FUK-90

REMARKS

Claims 1-16 are pending in this application. Claims 1 and 11 are rejected;
Claims 2 and 16 are allowed; and claims 3-10 and 12-15 are objected to in this
application.

Claims 1, 2, 3, 6, 9, 10, and 12-16 are amended hereby; and claim 17 is added
5 hereby. Applicants submit that no new matter has been added as part of such
changes.

Responsive to the rejection of claims 1 and 11 under 35 USC § 102 (b) as being
anticipated by U.S. Patent No. 4,067,206 (Smith), Applicants have amended claim 1
and submit that claims 1 and 11 are now in condition for allowance.

10 Claim 1, as amended, recites in part:

a condensate water removal means for removing condensate water
deposited on said cooling coil, the condensate water depositing during
operation of said apparatus.

Applicants submit that such an invention is neither taught, disclosed, nor suggested by
15 Smith '206 or any of the other cited references, alone or in combination.

Smith '206 discloses a room air conditioner 10 that includes an electric motor 28
having a dual output shaft 29. The left hand end of output shaft 29 is connected to an
evaporator fan 30 for directing an air stream over the cooling coils of an evaporator unit
32, while the right hand end of which is connected with a condenser fan 34 for directing
20 an air stream over the cooling coils and fins of a condenser unit 36. In operation, the
evaporator unit 32 condenses moisture from the room air for collection in a sump in the

evaporator compartment 24. As such, the function of evaporator fan 30 is to promote the condensation of moisture on evaporator unit 32. It is not the function of evaporator fan 30 to aid or enhance the removal of such condensation from evaporator unit 32.

Further, there is no disclosure or suggestion in Smith '206 of any particular means to aid in such condensation removal from evaporator unit 32. Additionally, Smith '206 does not disclose or suggest that there is any particular inefficiency associated with condensed moisture remaining on evaporator unit 32. As best understood, the room air conditioner of Smith '206 relies solely on gravity for the removal of condensed moisture from evaporator unit 32.

As for the operation of condenser unit 36, Smith '206 discloses that the combined operation of condensate collection and delivery assembly 50 and condenser fan 34 are together to be used to atomize and direct water along with the air stream created by condenser fan 34. Such a water/air stream combination is impinged on the condensing tubes and fins of condenser unit 36 for evaporation of the water thereat and energy recovery as a result thereof. Thus, Smith '206 does not disclose or suggest a specific condensate water removal means in association with either of evaporator unit 32 or condenser unit 36. Accordingly, Smith '206 fails to teach or suggest the present invention as set forth in claim 1, as amended.

For all the foregoing reasons, Applicants submit that claim 1, and claim 11 depending therefrom, are now in condition for allowance, the allowance of which is hereby respectfully requested.

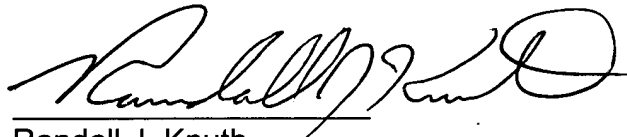
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The Examiner has indicated that claims 2 and 16 are allowed and that claims 3-10 and 12-15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, for which courtesy the Examiner is thanked. Accordingly, Applicants have submitted herewith a new claim 17 which incorporates allowable subject matter from both of claims 10 and 12 into a single independent claim. Furthermore, Applicants have chosen to rewrite claims 3, 6, 9, 10, 12, 13, 14, and 15 in independent form at this time.

If the Examiner has any questions or comments that would speed prosecution of this case, the Examiner is invited to call the undersigned at 260/485-6001.

Respectfully submitted,



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RJK/mdc10

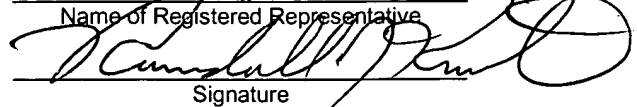
Encs: Amendments to the Claims
(7 Sheets; pp. 14-20)
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on: August 4, 2003.

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Signature

August 4, 2003

Date